

EDWARD H. KUBO, JR. #2499
United States Attorney
District of Hawaii

FLORENCE T. NAKAKUNI #2286
Chief, Narcotics Section

CHRIS A. THOMAS #3514
Assistant U.S. Attorney
Room 6-100, PJKK Federal Building
300 Ala Moana Boulevard
Honolulu, Hawaii 96850
Telephone: (808) 541-2850
Facsimile: (808) 541-2958
E-mail: Chris.Thomas@usdoj.gov

Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

| | | |
|---------------------------|---|-------------------------------|
| UNITED STATES OF AMERICA, |) | CR. NO. 05-00190 JMS |
| |) | |
| Plaintiff, |) | ORDER DENYING DEFENDANT'S |
| |) | MOTION FOR RECONSIDERATION OF |
| vs. |) | BAIL |
| |) | |
| JOSE DIAZ, (01) |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

ORDER DENYING DEFENDANT'S MOTION TO
FOR RECONSIDERATION OF BAIL

Defendant JOSE DIAZ's Motion for reconsideration of bail (hereinafter "Defendant's Motion") came on for hearing on February 2, 2006, before this Honorable Court. Chris A. Thomas, Assistant United States Attorney, appeared on behalf of the United States, and Harlan Kimura, Esq., appeared on behalf of

Defendant JOSE DIAZ, who was also present. Arturo Hernandez, Esq. also appeared on behalf of Defendant JOSE DIAZ by telephone.

Upon consideration of the motion submitted in connection with this matter and the argument of counsel at the hearing,

IT IS HEREBY ORDERED that Defendant's Motion is DENIED.

The Court finds that there is no material change of information that exists or was presented that was not known to Defendant, or presented, at the time of the initial detention hearing as required pursuant to 18 U.S.C. § 3142(f).

Therefore, the court finds that, there is no condition or combination of conditions of release which will reasonably assure Defendant's appearance as required pursuant to 18 U.S.C. § 3142(e); and

That there is no condition or combination of conditions of release which will reasonably assure the safety of any other person and the community pursuant to 18 U.S.C. § 3142(e).

DATED: February 3, 2006, at Honolulu, Hawaii.




Kevin S.C. Chang
United States Magistrate Judge

U.S. v. Jose Diaz, et al.
Cr. No. 05-00190 JMS;
Order Denying Defendant's Motion for Reconsideration of Bail